the Ladder

JULY 1960
VOLUME 4, NUMBER 10

Published monthly by the Daughters of Bilitis, Inc., a non-profit corporation, 165 O'Farrell Street, Room 405, San Francisco 2, California. Telephone YUkon 2-9290.

NATIONAL OFFICERS, DAUGHTERS OF BILITIS, INC.

President — Jaye Bell
Vice President — Helen Sanders
Recording Secretary — Dottie Dee
Corresponding Secretary — Chris Hayden
Public Relations Director — Jo Carson
Treasurer — Ev Howe

THE LADDER STAFF

Editor — Del Martin
Editorial Assistants — Agatha Mathys, Elaine Kingston, Millie Jensen, Jean Nathan
Los Angeles Reporter — Sten Russell
Production Manager — Patty Patterson
Circulation Manager — Cleo Glenn

THE LADDER is regarded as a sounding board for various points of view on the homophile and related subjects and does not necessarily reflect the opinion of the organization.

contents

THE HOMOSEXUAL VOTE, EDITORIAL..... 4
DOB CONVENTION: 'A LOOK AT THE LESBIAN' AS REPORTED BY STEN RUSSELL..... 6
SYMPOSIUM ON 'SEX OFFENSES'.....25
ANN ALDRICH INDICTS DOB AND THE LADDER.....26
THE IT BY THERESA CORELLA.....26

COVER BY TERI RICHARDS

EDITORIAL

The Homosexual Vote

THE DOB CONVENTION IS PAST. THIS MONTH THE POLITICAL CONVENTIONS OF THE DEMOCRATIC AND REPUBLICAN PARTIES TAKE OVER. AND THE FORTHCOMING NATIONAL ELECTION LEADS TO THE QUESTION - IS THERE, OR COULD THERE BE, A HOMOSEXUAL VOTING BLOC? HOW MUCH VOTING STRENGTH DOES THE HOMOSEXUAL MINORITY HAVE? TO WHAT EXTENT DOES OR CAN THAT VOTE INFLUENCE AN ELECTION?

LAST YEAR'S ELECTION IN SAN FRANCISCO (SEE NOVEMBER, 1959 ISSUE OF THE LADDER) BROUGHT ABOUT MUCH CONJECTURE ON THIS SCORE. THERE WAS A STRONG FEELING AMONG THE HOMOSEXUAL MINORITY IN THIS CITY AGAINST THE INCUMBENT, MAYOR GEORGE CHRISTOPHER - UNTIL HIS OPPONENT RUSSELL WOLDEN, CHARGED THE MAYOR WITH HARBORING "ORGANIZED HOMOSEXUALS" IN HIS MIDST. CHRISTOPHER WON THE ELECTION, AND IT WAS INTERESTING TO NOTE THAT THERE WERE SOME 9000 VOTES CAST IN THAT ELECTION WHERE THE VOTERS ABSTAINED ON THE ISSUE OF MAYOR.

WHAT ACTUALLY DOES THIS MEAN? DID THE HOMOSEXUAL VOTE DEFEAT WOLDEN BECAUSE OF HIS ATTACK ON THEIR GROUP? OR WERE THE PEOPLE OF SAN FRANCISCO TOO WISE AND TOO SOPHISTICATED TO TAKE THE CHARGES SERIOUSLY? OR WERE THERE OTHER ISSUES BETWEEN THE CANDIDATES THAT WERE THE DECIDING FACTORS? WE CAN ONLY CONJECTURE. FOR UNFORTUNATELY THE SAN FRANCISCO PRESS REFUSED TO AIR THE ISSUE AND FEW LETTERS TO THE EDITOR WERE PUBLISHED - WHICH COULD BE ONE MEASURING STICK OF PUBLIC OPINION.

THESE ARE SIMPLY OUR OWN CONJECTURES. AND IT WAS INDEED INTERESTING TO FIND OUT THAT SOME ONE ELSE HAD BEEN DOING SOME THINKING ON THE SUBJECT. HERE IS AN EDITORIAL WRITTEN BY MURRAY KEMPTON ENTITLED "ELECTIONS AND THE HOMOSEXUAL"

WHICH APPEARED IN THE NEW YORK POST:

"IN THE BEGINNING OF THE MCCARTHY ERA, IT WAS REVEALED THAT SOME EIGHTY-ODD STATE DEPARTMENT OFFICIALS HAD BEEN FIRED BECAUSE OF HOMOSEXUAL TENDENCIES. THE RIGHT-WING REPUBLICANS, LED BY THE LATE KENNETH WHERRY, KNOWN AS THE 'MERRY UNDERTAKER,' SEIZED WITH DELIGHT ON THE 'ISSUE.'

"FOR A TIME, THE 'HOMOSEXUAL ISSUE' BID FAIR TO RIVAL THE 'COMMUNIST ISSUE.' BUT THEN- OR SO THE STORY GOES- SOME BRIGHT YOUNG MAN IN REPUBLICAN HEADQUARTERS DIPPED INTO A BEST SELLER OF THOSE DAYS, THE KINSEY REPORT ON THE SEXUAL HABITS OF THE AMERICAN MALE. A QUICK CALCULATION BASED ON KINSEY'S FIGURES SHOWED THAT THERE MUST BE SEVERAL MILLION HOMOSEXUALS OF VOTING AGE.

"THE BRIGHT YOUNG MAN REALIZED THAT IT WOULD BE EXTREMELY DANGEROUS POLITICALLY FOR THE REPUBLICAN PARTY TO BE CONSIDERED THE ANTI-HOMOSEXUAL PARTY - ALMOST AS DANGEROUS AS TO BE CONSIDERED THE ANTI-NEGRO OR ANTI-POLISH OR ANTI-JEWISH PARTY. HE SO REPORTED TO THE REPUBLICAN LEADERSHIP. THE 'HOMOSEXUAL ISSUE' WAS IMMEDIATELY DROPPED."

SO IT WOULD APPEAR THAT OTHERS HAVE TAKEN THE HOMOSEXUAL VOTE INTO CONSIDERATION. HERE IS AN UNKNOWN FACTOR THEY ARE BEGINNING TO REALIZE WHICH COULD INFLUENCE THE OUTCOME OF AN ELECTION.

LET US DO OUR UTMOST TO MAKE THIS, NOT AN UNKNOWN FACTOR, BUT A POWERFUL FACTOR. WE DO HAVE A VOICE IN THE AFFAIRS OF THE COMMUNITY AND OF THE NATION. LET US MAKE IT A STRONG VOICE.

PARTY AFFILIATION IS NOT THE IMPORTANT ISSUE. A VERY WISE NEGRO LAWYER ONCE TOLD ME THAT IT WOULD BE DISASTROUS IF THE NEGROES IDENTIFIED THEMSELVES WITH ONE PARTY OR THE OTHER. THEIR STRENGTH LAY IN THE FACT THAT BOTH PARTIES MUST CATER TO THEM TO WIN THEIR SUPPORT.

THE IMPORTANT ISSUE HERE FOR HOMOSEXUALS IS TO REGISTER - AND VOTE.

— DEL MARTIN

DOB CONVENTION

'A Look at the Lesbian'

By Sten Russell

(This is one convention which will be a real joy to report - so if this reporter gets carried away and editorializes, rhapsodizes and turns lyric the reader will please forgive her for forsaking her usual high standards of reporting the facts and only the facts!)

The Daughters of Bilitis' 1st National Convention held May 27-30, 1960 in San Francisco will be a never-to-be-forgotten experience for all those who were fortunate enough to be able to attend. Members and friends from all over the United States, Canada and England were there. The program was one of the most outstanding ever given by an organization interested in shedding light on the homophile problem. While the theme of the convention was "A Look at the Lesbian", problems concerning gay men were also explored.

Friday night featured a reception for out-of-town guests at the home of President Del and Editor Phyl. Some 50 to 75 people crowded happily into the small quarters from the hours of 8:00 to 12:00. "Daughters" kept arriving until 6:00 the next morning, however. One group drove all night from Los Angeles in order to make the convention on time! Such stamina! Noble San Francisco Daughters were meeting planes, trains and buses from 2:00 Friday afternoon on into the night. Out-of-town guests were quartered with San Francisco members. This generous procedure accomplished two things: it saved the out-of-towners stacks of money and it also helped everyone get to know each other better than they could have otherwise.

The Saturday sessions, which were open to the public, were held in the beautiful Vista Room of the Hotel Whitcomb.

The planners of the convention had worried that they would not meet their quota of 100 for the meal functions. The attendance far exceeded that. I counted 144 chairs at the sessions and the over-all appearance was that they were all full! The banquet attendance is known to have been 125! The spacious Vista Room was an experience in itself to the flatlanders in attendance. High above the city, surrounded by glass on all sides, one could see the bay, the mountains, the city buildings down below, and the swirling San Francisco fog which is such a wild, changeling thing! A feeling of light and space and air penetrated one's being with the additional feelings of freedom and challenge!

ABOUT DOB . . .

The Address of Welcome was given by Jaye Bell, president of the San Francisco Chapter. Del Martin, outgoing National president of the Daughters of Bilitis, gave a history of how the organization was conceived and founded. A Filipino girl, who had not known such prejudice and restriction in the Islands, conceived the idea that surely there was a better way for Lesbians to meet each other than in the squalid atmosphere of bars with its attendant harrassment by police. She conceived the DOB as strictly a social club for Lesbians. (Unfortunately this fine person was lost to the group as it grew in concept and purpose to where it admitted any woman, heterosexual or homosexual, over 21 years of age who desired to seek the promotion of the integration of the homosexual into society through education both of the variant and of the public at large as to their responsibilities.)

The Daughters of Bilitis took its name from "The Songs of Bilitis" written by Pierre Louys. DOB started in September, 1955 with eight women who had no knowledge at that time of the other homophile groups in existence. One month later they had a constitution and an elected slate of officers. One year later THE LADDER began publication as a mimeographed newsletter.

"DOB is an idea, a philosophy, a working thing for its members." Miss Martin glowed with pride as she noted the growth of many of the members from frightened, bit-

ter people to responsible citizens of the community at large. (The heterosexual members have been helped by their growth of understanding of a problem which formerly they had not known to exist as well as helping other members to accept and understand the heterosexual point of view.)

RESEARCH PAPER PRESENTED

Patty Patterson presented the DOB Research Committee's paper, "Some Comparisons Between the Lesbian and the Male Homosexual", drawn from questionnaires circulated throughout the country. Florence Conrad must be complimented for much of the work done on this research project as well as all those who helped and cooperated in the venture. Miss Patterson presented the paper very well, bringing out findings of special interest to the audience in her vigorous, straight-forward manner. The complete survey and its findings will be presented in full in THE LADDER at a future date.

WHY THE LESBIAN?

During the morning session we heard the star-studded panel discuss the question, "Why the Lesbian?" With Mrs. Bernice Engle of the Langley Porter Clinic moderating, the panelists were: Dr. Frank A. Beach, psychology professor from the University of California at Berkeley and co-author of the book, "Patterns of Sexual Behavior"; Patricia Lyon, ethnologist and archaeologist, University of California at Santa Barbara; Dr. Norman Reider, former head of the Psychiatric Clinic at Mt. Zion Hospital, San Francisco; and Dr. Leo J. Zeff, Berkeley clinical psychologist.

Miss Lyon led off with the observation that she's always been amazed at the scarcity of material on Lesbianism in non-Western cultures. Whether it existed or not was easily obscured by the function of women in primitive cultures, she pointed out. Whereas, in present-day Western society, equal opportunity of education and wage earning ability had given women a freedom of choice rarely found before. Miss Lyon felt that while the phenomenon of Lesbianism had prob-

ably existed in all cultures of all ages, that the state of Western culture actually encouraged it more than any other. Therefore, to her, the question was not "Why the Lesbian?" but "Why so many Lesbians?"

Dr. Zeff analyzed why the theme had even been put in such a fashion - "Why the Lesbian?"

"We seek 'causes' in order to understand that which we cannot accept and in order to deal adequately with it - we think!"

Dr. Zeff admitted frankly that he had no idea as to what caused Lesbianism, and it did not seem to bother him that he did not. He questioned the "Acceptance through Understanding" hypothesis. "Love. . . . Where does it come into the picture?" he wanted to know.

COMMENTS ON LESBIAN STATEMENTS

Dr. Beach felt that the theme could have as reasonably been "Why the Heterosexual?" He then commented on the four Lesbian statements (published in the June issue of THE LADDER) which had been selected by the DOB to serve as an introduction to the panel discussion. He was particularly interested in statement number four which hinted at a congenital factor for homosexuality being a possibility, but the last paragraph eluded him completely. (The last paragraph said that the anonymous lady in question didn't believe in any of the standard "causes" for Lesbianism including the congenital theory, that she was more inclined to believe that women were just plain sick of being dominated by men and were seeking their own souls!)

Dr. Norman Reider said that he had no argument on the universality of the biologic-sexual drive. He felt that "why the choice of object?" was the real issue, or "why not any object?" for that matter. He did not believe that the social and cultural aspects given answered the question. He inclined more toward psycho-pathology and developmental psychology.

In the cross-fire that followed, Dr. Beach stated that he was forever struck that in all Lesbian discussions of the

subject there was the constant reference that they could more easily find tenderness and understanding from another female than from the male.

There was excellent audience participation which ranged over the problem all the way from the supposed "decadence" of the ancient Romans and Greeks to present niceties of "analyzing the behavior of rats in mazes."

SOME SHARP OBSERVATIONS:

One man asked Dr. Beach if he didn't think that with the problem of overpopulation, homosexuality wouldn't become more socially acceptable. Dr. Beach brought down the house with this reply, "I'd put my money on contraceptives!"

Dr. Zeff stressed his feeling that when the homosexual attained "self-acceptance", education of the public would no longer concern him.

Dr. Reider quipped along the way, "Anyone free of anxiety today ought to go see a psychiatrist!"

RELIGIOUS POINT OF VIEW

After luncheon Rev. Fordyce Eastburn, Episcopal chaplain at St. Luke's Hospital, San Francisco, jarred all those who expected an affirmative answer to the question, "Can the Practicing Homosexual Be Accepted by the Church?"

Rev. Eastburn introduced himself as a man who had been in the ministry 26 years, who was married, who had three children, who had no real experience with homosexuals in his counselling except for one admitted Lesbian, and who had had one approach of a homosexual nature in his youth which had apparently not damaged him in any way. Having admitted that homosexuality was an unknown island to him, Rev. Eastburn proceeded to inform us that he felt that homosexuality was a "primary disorder of the Divine Plan."

However, he was charitable, since "God accepts, we must also." In other words, a practicing homosexual could be accepted into the church; but how long such a person could continue in his actions once he had accepted Jesus Christ

was a burning question to Rev. Eastburn. Chastity or marriage were the only alternatives a true Christian had in his eyes.

Homosexuals, he told us, were: 1, afflicted with a disorder of nature; 2, must attempt to stay away from their sources of temptation; and 3, should take therapy and attempt to make a heterosexual adjustment to life. (If you can't make number three, I presume that leaves you celibate, presuming further that you're capable of remaining celibate and retaining your sanity.)

"Man is a fallen creature," he told us, quoting Genesis, and warned that if one chooses his will over God's Will or the Divine Order that a damaged personality will result. However, Rev. Eastburn was truly a charitable man, for he pointed out that this sad plight we were in was not all our fault, that frequently we seemed the fruit of parents who had not followed the commandment to love one another and that the self-centeredness of man was omnipresent.

Concerning Rev. Robert Wood's book, "Christ and the Homosexual," he disagreed on many points. In particular he disagreed that homosexuals were capable of "sacramental love" or that we served a function in the Divine Plan by being an automatic brake on over-population. He did not care to discuss the areas in which he disagreed, however. He felt that it was more profitable to discuss the areas in which he did agree, like page 178 of said book which mentioned that "The Law came by Moses. . . . The Grace came by Jesus Christ."

OFF-THE-CUFF DISCUSSION

Well, it was a real different kind of luncheon, you had to admit that! And it stirred up a lot of discussion and new thinking. One of the many conversations overheard went like this:

Dispossessed Catholic: "Well, you have to admit he was completely logical!"

Angry Free-thinker: "He was not either logical!"

subject there was the constant reference that they could more easily find tenderness and understanding from another female than from the male.

There was excellent audience participation which ranged over the problem all the way from the supposed "decadence" of the ancient Romans and Greeks to present niceties of "analyzing the behavior of rats in mazes."

SOME SHARP OBSERVATIONS:

One man asked Dr. Beach if he didn't think that with the problem of overpopulation, homosexuality wouldn't become more socially acceptable. Dr. Beach brought down the house with this reply, "I'd put my money on contraceptives!"

Dr. Zeff stressed his feeling that when the homosexual attained "self-acceptance", education of the public would no longer concern him.

Dr. Reider quipped along the way, "Anyone free of anxiety today ought to go see a psychiatrist!"

RELIGIOUS POINT OF VIEW

After luncheon Rev. Fordyce Eastburn, Episcopal chaplain at St. Luke's Hospital, San Francisco, jarred all those who expected an affirmative answer to the question, "Can the Practicing Homosexual Be Accepted by the Church?"

Rev. Eastburn introduced himself as a man who had been in the ministry 26 years, who was married, who had three children, who had no real experience with homosexuals in his counselling except for one admitted Lesbian, and who had had one approach of a homosexual nature in his youth which had apparently not damaged him in any way. Having admitted that homosexuality was an unknown island to him, Rev. Eastburn proceeded to inform us that he felt that homosexuality was a "primary disorder of the Divine Plan."

However, he was charitable, since "God accepts, we must also." In other words, a practicing homosexual could be accepted into the church; but how long such a person could continue in his actions once he had accepted Jesus Christ

was a burning question to Rev. Eastburn. Chastity or marriage were the only alternatives a true Christian had in his eyes.

Homosexuals, he told us, were: 1, afflicted with a disorder of nature; 2, must attempt to stay away from their sources of temptation; and 3, should take therapy and attempt to make a heterosexual adjustment to life. (If you can't make number three, I presume that leaves you celibate, presuming further that you're capable of remaining celibate and retaining your sanity.)

"Man is a fallen creature," he told us, quoting Genesis, and warned that if one chooses his will over God's Will or the Divine Order that a damaged personality will result. However, Rev. Eastburn was truly a charitable man, for he pointed out that this sad plight we were in was not all our fault, that frequently we seemed the fruit of parents who had not followed the commandment to love one another and that the self-centeredness of man was omnipresent.

Concerning Rev. Robert Wood's book, "Christ and the Homosexual," he disagreed on many points. In particular he disagreed that homosexuals were capable of "sacramental love" or that we served a function in the Divine Plan by being an automatic brake on over-population. He did not care to discuss the areas in which he disagreed, however. He felt that it was more profitable to discuss the areas in which he did agree, like page 178 of said book which mentioned that "The Law came by Moses. . . . The Grace came by Jesus Christ."

OFF-THE-CUFF DISCUSSION

Well, it was a real different kind of luncheon, you had to admit that! And it stirred up a lot of discussion and new thinking. One of the many conversations overheard went like this:

Dispossessed Catholic: "Well, you have to admit he was completely logical!"

Angry Free-thinker: "He was not either logical!"

Non-angry Free-thinker: "Ah, but he was completely logical; he merely had the wrong first premise."

1st Free-thinker: "True, true. I hadn't thought of it that way."

Dispossessed Catholic, with some heat: "But he would say that you had the wrong first premise!"

"Yes, he would," smiled the 2nd Free-thinker, "but fortunately I have spoken to God personally and can no longer be confused on the matter!"

Dispossessed Catholic looked upset, and your reporter moved on.

CIVIL LIBERTIES - THE HOMOSEXUAL'S RESPONSIBILITY

Albert M. Bendich, staff counsel for the Northern California Division of the American Civil Liberties Union, did not feel that homosexuals had any more responsibility for civil liberties than heterosexuals. He said there was no special illegality about homosexuality as a "state of being", that the acts in question were as illegal for heterosexual or homosexual.

The official position of the ACLU, he said, was that they were not interested in challenging laws against homosexual acts; that they were against denial of due process or entrapment; that they were against registration laws, such as the one in California requiring those sex offenders who are convicted of a felony to register with their local police as sexual psychopaths. The ACLU has also expressed itself as finding nothing unconstitutional in the security risk program of the Federal Government where it truly applies to sensitive, top-level government positions.

At this point Attorney Bendich said that he wished to express his own personal views on the matter, which were quite different from the ACLU's in some areas. He disagreed with the ACLU that there was no constitutional basis for challenging sex laws. There were questions of definition which had never been answered satisfactorily, he said. What is a heterosexual, a homosexual, a bisex-

ual? For instance, is a person of homosexual orientation who lives a celibate life still a homosexual? Is a person who had only one homosexual affair in his life, and that out of curiosity, a homosexual? Although heterosexual in orientation, had the man been caught in his one homosexual affair, he could have been sent to jail for many years in some states. Or would this man have been classed as a bisexual? Attorney Bendich felt that there was definitely a basis for challenging laws which interfered with one's personal life where the protection of minors or public decency was not an issue.

From his studies it appeared that no higher percentage of homosexuals was interested in youngsters of the same sex than of heterosexuals who were interested in seducing youngsters of the opposite sex. He doubted that "rape" by a heterosexual man was any more acceptable to the "rapee" than by a homosexual man. Mr. Bendich aligned himself on the side of freedom and dignity of the individual. There must be freedom of association and belief for the individual to maintain his dignity and integrity, Attorney Bendich felt.

An exciting discussion period followed. One member of the audience said that she felt that the topic had been designed to show that homosexuals were usually so mired in their own personal problems that they failed to see that without championing other minority groups' civil rights, they could not claim their own. This thought fell dead on the floor as Mr. Bendich reiterated his position that the homosexual had no more responsibility for civil rights in the nation than the heterosexual.

Mr. Bendich did note that it was harder in many cases for homosexuals to do their civic duty or to champion civil rights because of the problem of publicity's costing them their jobs and their "honor."

WHAT IS 'PUBLIC INDECENCY'?

One man asked if sex laws couldn't be challenged on the basis of separation of church and state. Attorney Bendich did not see how they could. A member of the Los Angeles chapter of the Daughters of Bilitis inspired a discussion

of the proposed Model Penal Code. What constituted "public indecency" was discussed. Mr. Bendich felt that the term was meant mainly to comprise "indecent exposure" (disrobing in public) or committing a sexual act in public. One of the men present asked whether kissing another man in public would be considered indecent. Attorney Bendich brought a roar from the audience as he quipped, "I guess that would depend on whether the men were in Paris or Los Angeles!"

Mr. Bendich was asked to comment on the California State Teachers' Oath that one was neither a Communist, a felon, nor a homosexual! The audience was aghast on several levels: many had no knowledge of the subject and therefore believed what was said, while many who did have knowledge of the problem felt the statement to be an irresponsible one. Mr. Bendich stated that he had heard of no such requirements in the State Teachers' Oath. He was aware of the general civil servants' oath which states either that one does not believe in overthrow of the government by force and violence or disclaims membership in the Communist party after a certain date. The teachers' oath, like all important official oaths, swears allegiance to upholding the laws of the state and the nation. There are also the usual checks as to whether one has a criminal record, in any civil service job. And for all civil servants there is the "moral turpitude" section which may be invoked against "indiscreet husband" or "practicing homosexual" alike if they are caught in the act. One does not sign an oath that he is not a homosexual.

Another topic touched upon was the Lewd-Vagrancy Laws, which the ACLU have found to be unconstitutional. Also brought in was the Registration Law, part of which Mr. Kenneth Zwerin, San Francisco attorney, was instrumental in getting clarified, namely, that a sex offender who has passed his probation period need not register a change of address. Details on this particular court decision were reported in the June, 1958 issue of THE LADDER. It referred to those cases involving the successful termination of probation. The court refused to rule on the constitutionality of Section 290, holding it was not necessary to this particular decision. It is to be hoped that at some future time the constitutionality of the law may be challenged.

Artemis Smith Speaks for Herself

Artemis Smith, author of ODD GIRL and THE THIRD SEX gave a short dissertation on the problems involved in the writing and publishing of Lesbian novels. She told how one of her novels was turned into a Lesbian novel, against her wishes, by the publisher. She mentioned that, while this was probably one of the best times to get a Lesbian novel published, she had some truly good ones in her closet that her publisher wouldn't take. It seems that a stereotype must be followed in order to make the publisher interested.

Artemis is now more interested in making Lesbians and homosexuals background characters in heterosexual novels. She feels that more good can be done this way than with the purely Lesbian novels she has written and that she could do a higher class of novel and get less blue pencil editing. She is writing a new book about a young man in the armed services who neither is a homosexual nor a Communist, but who gets branded both by "association."

Miss Smith made an offer to writers. She asked writers of Lesbian novels who could not get their books published to send them to the Daughters of Bilitis, Inc. to be read by them. The ones they felt to have real merit would be sent on to Artemis Smith who would scan them. The ones she felt had a good chance to be published, she would pass on to her literary agent to try

to get published. She warned writers to stay away from Vanity Presses. If one felt he had quality that would match Gertrude Stein, James Joyce, or E. E. Cummings and still couldn't get published, he should buy his own printing press and paper and print his own books and distribute them. It would be cheaper in the long run, she said.

During the question period one girl asked Artemis why she permitted such bad covers to be used on her books. Artemis replied that she had tried to do something about this and had finally given up, that actually if a person bought the book hoping to find salacious material in it he was in for a rude shock and might actually learn something he hadn't known before.

GAY BAR PROBLEM

At 3:30 P.M. Sidney Feinberg, North Coastal Area Administrator of the California Department of Alcoholic Beverage Control, and Morris Lowenthal, San Francisco attorney who acted as Amicus Curiae in the "First and Last Chance" Bar case, discussed the Gay Bar Problem.

Attorney Feinberg took the stand first. He is a very imposing figure and has a booming voice. He knocked the microphone out of the way first thing, to save our eardrums, I suppose. He told us that in 1954 a new constitutional amendment was approved which wiped out the State Board of Equalization's control of liquor licenses and provided for the new Alcoholic Beverage Control Department which was to regulate alcoholic beverages from "the cradle to the grave." On January 1, 1955, this new department came into being. The ABC investigates, among other things, that people applying for licenses to sell liquor have the proper backgrounds for the grave responsibility involved. The ABC has certain law enforcement duties and the police power of arrest. However, Mr. Feinberg wanted it understood that the ABC was not a vice squad, intelligence squad, or arm of the police department in any way, although they frequently worked in cooperation with the various police departments; that they were more concerned with the owner of a license who permitted improper actions in his bar than

with the customers who were committing the improper actions.

The ABC would like to work itself out of a job, he said. The ABC would like to make all bars safe for the customers from being bilked by "B" girls, prostitutes, or having to put up with indecent "passes" made to them by either heterosexual or homosexual people.

THE RIGHT TO SAY - NO?

At this point Mr. Feinberg said that we were to ask questions as he went along rather than saving them up till the end. So, promptly, a member of the audience asked him a question. "Sir," the man asked timidly, "What is wrong with the person so approached saying 'no'?" Mr. Feinberg asked in thundering tones whether the young man realized what he was asking. He was implying that to be protected all anyone had to do was say "No." (Yes, it appeared as if that was what the young man was saying.) Such an implication seemed to inflame Mr. Feinberg greatly; certainly it was clear that such a thesis would put the ABC out of the job it said it wanted to be put out of. Mr. Feinberg expostulated that a man did not have to accept the proposition of a prostitute either, did the questioner mean to imply that there should be no repression of prostitutes? There was a sprinkling of affirmations from the audience of those who believed there should be no such repression, and Mr. Feinberg became even more agitated. He stated in effect that if the audience did not even see eye-to-eye with the Law on something like that, that we would pursue two parallel lines in discussion and never come to any understanding.

DETERMINATION OF 'INDECENT' BEHAVIOR

Another queried, "Sir, would it be considered 'indecent' in a bar for men to be dancing together?" Mr. Feinberg opined that it would. The young man asked, "Why?" Mr. Feinberg said that such a thing was offensive. Another male member of the audience asked rather curtly, "Offensive to whom?" Mr. Feinberg became even more agitated, and the tension in the audience rose proportionately. "Offensive to the public." Someone else asked, "Who

decides what is offensive to the public? You?" Mr. Feinberg answered, "Of course, all governmental agencies have to decide this and are responsible to the democratic majority only." All court decisions are based on the judgment of a few people. If the people do not agree with these decisions they will have to band together to bring pressure on their legislative representatives and so change the law as it now stands, Mr. Feinberg said in essence. In a later exchange about the job of law makers and spelling out of illegal behavior, Mr. Feinberg made this striking comment, "Nobody can anticipate the infinitudes that can come from a man's mind!"

MANY GAY BARS IN TROUBLE

"Aren't gay bars usually better run than heterosexual bars?" another man saked. "I can only say that of San Francisco's 30 known gay bars, 15 are in some sort of trouble," Feinberg answered. Feinberg admitted, however, under questioning by one of the female contingent, that law enforcement authorities were more likely to keep their eyes on the "criminal" elements in society, since they do not have the manpower to watch everybody. (In other words, we are criminal, per se; although earlier Feinberg had stated, "I can assure you that any establishment patronized by homosexuals will not be prosecuted simply because of its patronage.")

On the questioning regarding dancing in gay bars by members of the same sex, one girl said, "Come, sir, let us not antagonize one another."

Feinberg: "Oh, that's all right. I enjoy it!"

Girl: "Well, let's be reasonable. Dancing between women is a very common sight, even in straight bars or in Western square dances, etc."

Feinberg graciously drew back from that one with the comment that women's gay bars were the hardest to close; that the one good case the ABC had on "Mary's First and Last Chance" bar was clobbered for them by Attorney Lowenthal in the State Supreme Court last year.

ABC PROCEEDINGS OUTLINED

In answer to a milder question, Mr. Feinberg outlined the structure of the Department of Alcoholic Beverage Control. The State Department is headed by a Director. Working under him are three Area Administrators. In disciplining a licensee, the proceedings are "sui generis" (one of a kind) and are neither civil nor criminal proceedings. Nevertheless, Mr. Feinberg maintains that license owners receive "due process" in all cases and can appeal to the courts if they feel that they have not received justice at the hands of the ABC.

The chairman, Del Martin, was looking nervously at her watch and reminded Mr. Feinberg that he was running far into Attorney Lowenthal's time to speak. Mr. Feinberg replied happily that perhaps he could manage it so Mr. Lowenthal got no time to speak at all.

10-YEAR COURT HISTORY OUTLINED

After another exchange or two Mr. Lowenthal took the floor and briefly outlined the history of the gay bar in the California courts over the past ten years. He told us how in 1949 a Court decision went against gay bars in the Black Cat case (Stoumen v. Reilly); that in 1951 he got the legal status of gay bars clearly set out and won the case for Mr. Stoumen. The State Supreme Court maintained at that time that the homosexual, like any other citizen, had the right to go into any public restaurant or bar and be served.

However, in 1955 certain groups of people pushed through the Legislature an unconstitutional statute that made it "illegal" for an owner to run a "resort for sexual perverts." On the basis of this statute the ABC revoked licenses simply on the basis of patronage, not on the basis of any lewd or indecent actions on the premises. "Pervert" was interpreted to mean in most cases "homosexual," and the ABC was particularly active against gay bars in applying it. Where prior to that time the ABC or the old Board of Equalization had been satisfied to close down a bar after gathering proof of misconduct on the premises, the ABC no longer felt itself required to prove anything

except to indicate that by dress or superficial actions the bar in question was a "resort for sexual perverts." After gathering such hearsay evidence the hearing officer would recommend a revocation and then the Director would in most cases "rubber stamp" his approval.

Attorney Lowenthal told how Mr. Feinberg's office had cleverly sent some very bad cases through the courts to "test" the statute before sending some very mild, inoffensive cases through. He cited the Nicola and Kershaw cases which were clearly in violation of all laws, past or present, regarding "disorderly houses" and which had permitted gratification of sexual desires to occur on the premises. Then came the inoffensive cases of which the Vallerga cases (better known as "Mary's First and Last Chance" case) was one. Mr. Lowenthal and others were the Amici Curiae on the case and helped fight it clear up to the California Supreme Court. Justice White stated that the decision of the Court was 6-0, that the 1955 statute was clearly unconstitutional, but in the "obiter dicta" the State Supreme Court put a different interpretation on the behavior of the patronage than had the Appellate Court. (This decision occurred in December, 1959 and was reported in February, 1960 issue of THE LADDER.)

Mr. Lowenthal denied that the methods used by the ABC gave the liquor licensee "due process" of the law and went into detail as to some of the methods used in "getting the goods" on a place, which Lowenthal felt were quasi-legal at best. He went on to say that wherever any law agency attempted to regulate people's private morals in any way the danger of blackmail, payoff and corruption among public officials rose accordingly.

FEINBERG DEMANDS REBUTTAL TIME

Mr. Feinberg, who had been crouched over the table all this time, obviously fuming, erupted with a demand that he be allowed rebuttal time at the end of Mr. Lowenthal's discourse. He said he felt that such innuendoes ill-befitted an attorney of Mr. Lowenthal's stature. Miss Martin rearranged the schedule so that Mr. Lowenthal would have equal time and Mr. Feinberg sufficient rebuttal time. Lowenthal wound up his case for bar own-

ers' and private citizens' rights and gave the floor to Mr. Feinberg who promptly treated us to a scene straight off the top of Mount Vesuvius.

Mr. Feinberg was almost incoherent with fury until he calmed down a bit and tried to refute Mr. Lowenthal. Unfortunately he did not use facts, but sheer passion and sound decibles. I felt a rumble which literally rose from the floor, a very frightening feeling to one who has never been in such a position before. Mr. Feinberg attacked Mr. Lowenthal as having accused State officials of corruption, bribery and blackmail.

The audience, which had borne patiently the fireworks up to that point, became angered at tactics which it felt were not only unfair, but untrue. Also the audience was much impressed by the fact that whatever the merits of anybody's case, Mr. Lowenthal had at no time raised his voice, shouted or become angry.

EVERYONE GETS IN THE ACT

Several voices rose at once from throughout the audience, "He didn't say that!" A stony man rose from the audience, spoke above the din, and said: "Sir, I'd like to answer that charge."

Mr. Lowenthal was on his feet and for the first time shouting. "No, it's my question!"

The stony man would not give in, however, and calmed down the audience with his clarity and courage. He told Mr. Feinberg that Mr. Lowenthal had not made any accusations, but then asked if he took us all for fools; after all for weeks the newspapers had been running stories of how ABC officials had laid a trap for one of their own men suspected of shaking down gay bars and caught him walking out of one of them with $150 in marked money. Mr. Feinberg screamed that a man was innocent until proven guilty in this country. The audience smiled at the irony of this, but was glad that it was so, legally at least.

A peacemaker in the back row, Patty Patterson, asked what all the fuss was about. After all, both men had told us

that it was a matter of decorum, that the ABC would no longer harrass bars simply because of their patronage. The chairman banged the gavel and the debate was over.

'IT'S THE LAW!'

An hysterically funny skit was put on which pantomimed what could happen if the "obiter dicta" was enforced scrupulously on both heterosexual and homosexual bars:

". . . This is not to say that homosexuals might properly be held to a higher degree of moral conduct than are heterosexuals. But any public display which manifests sexual desires, whether they be heterosexual or homosexual in nature, may and historically have been, suppressed and regulated in a moral society."

Over the table which sufficed for the "bar" hung the sign, "In God We Trust, All Others Pay Cash." On one of the folding screens set up was the sign: "Ye Olde Heterosexual Bar". Another sign proclaimed, "No manifestation or display of sexual urges or desires may be permitted on these premises."

Then came the fun. Two love birds strolled in, billing and cooing, and ordered a drink. They no more had it than The Law "arrested them". The girl objected via sign, "But, Officer, we're on our honeymoon!" "It's the Law" grimly took them away. Then a fellow came in with a "Have you heard this one?" and was taken away. A woman walked sexily across the room, a man whistled and both were hustled off- "It's the Law". One of our wonderful heterosexual mambers, seven months pregnant, strode in with: "Where is he? . . . the dirty dog" and brought down the house. "No indication of past sexual conduct" took her away. A little old man left standing at the bar with a flower behind his ear then raised his sign. "Mercy, I thought we'd never be alone," he mooned at the bartender! And off he went - "This is not to say that heterosexuals must hold a higher standard of conduct than homosexuals." And once again "It's the Law" bounced across the stage.

The audience laughed its hostility away, and retired to the cocktail bar to discuss the day. Many tried to jus-

tify and understand Feinberg's actions, feeling that after all he had been in a very difficult position, what with two newspaper reporters and at least two known members of the San Francisco Vice Squad, Homosexual Detail, present. Others failed to understand why, if he had the Law and Government on his side, he couldn't just state his position without blowing his top. Some hated him; others just felt sorry for him, reasoning that any official in such a position must have deeper problems than met the eye to get so angry in a debate. Others felt that perhaps the bombastic approach was one he developed over a period of years in courtroom technique, and which he was incapable of changing for a different type of audience. After all, they reasoned, who has had any experience in speaking before an audience sympathetic to the problems of homophiles?

THE BANQUET WAS A BALL . . .

The banquet was a huge success. At the head table sat Dr. Vera Plunkett, toastmistress; Kenneth Zwerin, attorney; Dr. Blanche Baker, psychiatrist; William Dorr Legg, ONE Institute; Jaye Bell and Del Martin of DOB. Dr. Plunkett was dressed stunningly and was her usual charming self. She got the crowd in a jolly mood by having each stand up and introduce himself and say where he was from. Some of the introductions got pretty hilarious.

Walter P. Pasternak and David A. Rhodes, psychologist, were present, representing the Society for the Investigation of Human Ecology, New York. As a sideline to the convention activities these two were conducting a research project with the cooperation of the Mattachine Society, Inc., and the Daughters of Bilitis, Inc. We hope to report on the project in a future LADDER issue.

DOB AWARDS PRESENTED

Chapter charters were presented to the three DOB Chapters: San Francisco, New York and Los Angeles. SOB (Sons of Bilitis) honorary awards were presented to those men who have given outstanding service to the Daughters without hope of reward or membership: Ken

Zwerin, DOB's attorney; Jeff Wiener, photographer, San Francisco; Hal Call, Don Lucas and Steve Kellogg from Mattachine Society, San Francisco; Art Maule, Mattachine Society, New York; Carl B. Harding, Mattachine Society, Denver; William Dorr Legg, Don Slater and Jim Kepner of ONE, Inc., and Jack Fox, Compleat Carpenter, Los Angeles.

Del Martin was presented with an inscribed gavel in honor of being outgoing National President of DOB and for services rendered to the organization over and above the call of duty. Phyllis Lyon, outgoing Editor of THE LADDER, was presented with bound volumes of all copies of the magazine extant, as were both the New York and Los Angeles Chapters. Del Martin and Phyllis Lyon received Honorary Life Memberships in both the San Francisco Chapter and the National organization. This was a great tribute of faith and love for two individuals who have given of time, money, effort, love and consecration to a cause much more than gavels, books or life memberships can ever repay.

LEGAL PROBLEMS OF THE LESBIAN COUPLE

Attorney Kenneth Zwerin, banquet speaker, spiced his address with many witty sayings and funny jokes so that the audience remembered mostly only that they had an awfully good time at the banquet. Ken said that in the first instance the problem was to find a "couple". He did make it clear that there was no such thing as community property and that the thing to do was to leave everything to one's estate and to have an attorney draw up a will. He stated that "holographic wills" were legal, but that those drawn up by an attorney were safer. Amongst Ken's many delightful sayings, this one stands out, "Hell hath no fury like a dispossessed heir!"

Mr. Zwerin suggested too that Lesbian couples purchase property and hold their bank accounts in joint tenancy - in such cases the property automatically goes to the survivor. While there would be an inheritance tax, he did not feel this to be a deterrent.

During the afternoon session he said he questioned the members of the Vice Squad who attended the convention as to police problems with Lesbians. They informed him

that there was little trouble from this contingent, though there were several arrests on record, under a city ordinance, for women dressed in men's clothes.

The lovely Lisa Ben topped off the evening with a delightful round of gay songs and parodies as she accompanied herself on the guitar. Her first recording, under the DOB label, was timed for special sale at the convention. This 45 rpm record may be obtained through the DOB for $1.98 plus 15¢ for handling, with a 4% sales tax required from California purchasers.

Symposium on 'Sex Offenses'

LAW AND CONTEMPORARY PROBLEMS, QUARTERLY PUBLISHED BY THE DUKE UNIVERSITY SCHOOL OF LAW, ANNOUNCES THAT THE NEXT ISSUE WILL BE DEVOTED TO A SYMPOSIUM ON SEX OFFENSES.

INCLUDED IN THE ISSUE WILL BE WORKS BY AUTHORS FAMILIAR TO THE READERS OF THE LADDER: "SOCIAL CONTROL OF SEX IN ANTHROPOLOGICAL PERSPECTIVE" BY CLELLAN S. FORD; "AMERICAN SEX OFFENDER LAWS" BY MORRIS PLOSCOWE; AND "SEX VARIATIONS: THEIR MEDICAL AND LEGAL IMPLICATIONS" BY KARL M. BOWMAN AND BERNICE ENGLE.

OTHER ARTICLES INCLUDE: "SEX AND THE CRIMINAL LAW: AN ETHICAL VIEW" BY JOSEPH FLETCHER; "SEXUAL OFFENSES - THE BRITISH EXPERIENCE" BY J. E. HALL-WILLIAMS; "ADOLESCENT SEX OFFENDERS IN AMERICAN SOCIETY: A CASE OF MARGINAL STATUS" BY ALBERT J. REISS; "SOCIOLOGICAL CRITIQUE OF SEX OFFENDER LAWS" BY STANTON WHEELER; "THE SEX OFFENDER: A CLINICAL APPROACH" BY BERNARD GLUECK, SR.; AND "SEX PROBLEMS AND SEX CRIMINALITY IN SCANDINAVIA" BY GEORG K. STURUP.

THE QUARTERLY WILL BE OFF THE PRESS SOME TIME IN AUGUST AND WILL BE AVAILABLE THROUGH THE DOB BOOK SERVICE. ORDER YOUR COPY NOW! PRICE IS $2.50 PLUS 20¢ HANDLING, WITH 4% SALES TAX ADDED ON ALL CALIFORNIA ORDERS. SEND YOUR CHECK OR MONEY ORDER TO DAUGHTERS OF BILITIS, 165 O'FARRELL ST., RM. 405, SAN FRANCISCO 2, CALIFORNIA.

Ann Aldrich Indicts DOB and THE LADDER!!

ANN ALDRICH, IN HER LATEST BOOK DEALING WITH LESBIANISM, CAROL IN A THOUSAND CITIES, HAS SEVERELY CRITICIZED THE LADDER AND ITS CONTRIBUTORS. SHE FOUND TIME AND SPACE TO COMMENT, ADVERSELY, ABOUT EVERY STORY THAT APPEARED DURING 1958.

WE'VE ORDERED COPIES FOR THE DOB BOOK SERVICE SO THAT WE, AND YOU, CAN READ IT RATHER CAREFULLY. COST IS 50¢ PLUS 10¢ HANDLING. WATCH FOR OUR COMMENTS (DETAILED, THAT IS) IN THE NEXT ISSUE OF THE LADDER!

the It

BY THERESA CORELLA

DOES IT OCCUR TO YOU WHAT A PARADOX SEX IS?
IT'S CONSIDERED BOTH BAD AND GOOD,
UGLY AND BEAUTIFUL,
AN INSPIRATION AND A MENACE.
IT'S CENSURED AND PORTRAYED.
IT'S A SUBJECT WE WHISPER AND SING SONGS ABOUT;
A SUBJECT AT ONCE SENSITIVE AND HARD.
IT MAKES US TIMID AND BOLD.
IT IS SMEARED ON CHIPPED WALLS IN PUBLIC PLACES.
IT IS USED ON BILLBOARDS TO SELL SOAP.
IT INCITES LAUGHTER AND PROFOUND SERIOUSNESS.
JOKES ARE MADE OF IT AND MASTER TRAGEDIES.
IT SUMMONS THE NOBLE AND THE IGNOBLE.
BLESSINGS ARE BESTOWED UPON IT AND CURSES,
AND BLESSINGS AND CURSES STEM FROM IT.
WE HAIL ITS FRUITFULNESS AND FEAR ITS PRODUCTIVITY.
WE GIVE IT BIRTH AND AT THE SAME TIME TRY TO KILL IT.
WE ALLOW ITS FUNCTION AND DENY IT.
LAWS ARE MADE AGAINST IT AND LAWS ARE BROKEN FOR IT.
DOES IT OCCUR TO YOU WHAT A PARADOX SEX IS?

DOB Book Service Presents-
7 Selections for Your Library

SEX VARIANT WOMEN IN LITERATURE, a Historical and Quantitative Survey.
By Jeannette H. Foster, Ph.D.
Autographed by the author. $5.00 plus 20¢ handling.

CHRIST AND THE HOMOSEXUAL
By the Rev. Robert W. Wood
$3.95 plus 20¢ handling.

ODD GIRL and THE THIRD SEX. (Paperbacks)
By Artemis Smith. 35¢ plus 10¢ handling each.

COMPLETE CUMULATIVE CHECKLIST OF LESBIAN LITERATURE. Compiled by Marian Zimmer Bradley & Gene Damon. A complete index of Lesbian and homosexual literature. $1.50 plus 20¢ handling.

GAY BAR. By Helen P. Branson. A witty book by one who knows the inside story- a bar owner. $3.00 plus 20¢ handling.

THE KEVAL AND OTHER GAY ADVENTURES. By Harry Otis. Gay life internationally, written by one who was there. $1.95 plus 20¢ handling.

In California add 4% sales tax.
Send order to DOB Book Service
165 O'Farrell St. Room 405
San Francisco 2, Calif.